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REMARKS

This response is intended as a full and complete response to the Office Action mailed September 9, 2005.

Claims 1-22 are cancelled without prejudice or disclaimer. New claims 23-37 are added. The amendments contain no new matter and are fully supported by Applicants' original specification, including original the original claims and drawings, including Figures 14, 19A, 19B, pages 2-3, and 42-45, among others.

Applicants traverse all of the rejections in the Office Action and respectfully request reconsideration and passage of the claims to allowance for the following reasons.

Claims 23-37 patentable over the combination of Guo and Oishi under §103

The Office Action rejected claims 1, 5, 7-8, and 10-13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,173,330 to Guo ("Guo") in view of U.S. Patent No. 6,779,195 to Oishi ("Oishi").

According to MPEP §2143, to establish a *prima facie* case of obviousness under §103, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

This rejection is moot, because claims 1, 5, 7-8, and 10-13 are cancelled.

New claims 23-37 are patentable over the combination of Guo and Oishi under §103, because the Office Action fails to establish a *prima facie* case of obviousness.

Claim 23 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality

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of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." The proposed combination of Guo and Oishi fails to teach or suggest at least these claim elements.

In contrast to the claimed invention, Guo merely discloses transmitting, receiving, and displaying IPG pages in a traditional, but never recovers any selected IPG page and presents it to the viewer, without requesting transmission of the selected IPG page, as claimed. (Guo, abstract, summary, figures 9 and 10).

In contrast to the claimed invention, Oishi transports MPEG2 packets using a PMT and PAT in the traditional way. (Oishi, col. 4, lines 47-61). Oishi fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed. (Oishi, abstract, summary, col. 2, line 1 to col. 3, line 36).

For a traditional MPEG transmission system, a program map table (PMT) is used to identify the video, audio, and data PIDs associated with each transmitted program and a program association table (PAT) is used to identify the PIDs for the PMTs for the transmitted program. However, certain traditional set top terminal implementations of the MPEG system may be limited in the usage of PMT and PAT. For example, one limitation may be the restriction in the number of PMTs per PAT and the number of video stream references in a PMT.

The claimed invention can be advantageously used to maintain track of contents delivered by the headend of the information distribution system using a roster. The roster has some advantages over the PMT and PAT defined by the MPEG standard. First, the roster element can be flexibly defined to include the desired information. More columns (i.e., fields) can be easily defined as needed. Second, there is no set limitation on the number of roster elements that may be included in the roster. In contrast, the number of PMTs per PAT and the number of video stream references in a PMT may be limited in certain MPEG-2 implementations. Third, the roster can be easily updated as

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new IPG pages are transmitted and old IPG pages are removed. The roster can be efficiently transmitted as a data stream and made available to the terminals.

Therefore, claim 23 is patentable over the combination of Guo and Oishi under §103.

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Guo and Oishi under §103 for at least the reasons given above with respect to claim 23.

Claim 28 recites, *inter alia*, "wherein, if the selected IPG page is currently received, then the tracking component uses the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 28 is also patentable over the combination of Guo and Oishi under §103.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Guo and Oishi under §103 for at least the reasons given above with respect to claim 28.

Claim 33 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 33 is also patentable over the combination of Guo and Oishi under §103.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of Guo and Oishi under §103 for at least the reasons given above with respect to claim 33.

Claims 23-37 patentable over the combination of Coleman and Oishi under §103

The Office Action rejected claims 18, 19, and 21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,844,620 to Coleman ("Coleman") in view of Oishi.

This rejection is moot, because claims 18, 19, and 21 are cancelled.

New claims 23-37 are patentable over the combination of Coleman and Oishi under §103, because the Office Action fails to establish a *prima facie* case of obviousness.

Claim 23 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend". The proposed combination of Coleman and Oishi fails to teach or suggest at least these claim elements.

In contrast to the claimed invention, Coleman discloses a trickle data stream that provides programming information for a current time period, e.g., the next forty-eight hours,, that is stored in a local memory for immediate access and Coleman discloses a demand data stream that provides programming information for a future time period, e.g., one week beyond the current period that is acquired on a real time basis in response to a subscriber's request for future scheduling information. (Coleman, abstract). Such trickle data streams and future programming requests are not directed at the same problem as the claimed invention. Both trickle data streams and future programming requests are transmitted from the headend to the terminal in the traditional way. Coleman fails to teach any roster and does not teach or suggest recovering any selected IPG page and presenting it to the viewer, without requesting transmission of the selected IPG page, as claimed.

In contrast to the claimed invention, Oishi transports MPEG2 packets using a PMT and PAT in the traditional way. (Oishi, col. 4, lines 47-61). Oishi fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the

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selected IPG page from the headend, as claimed. (Oishi, abstract, summary, col. 2, line 1 to col. 3, line 36).

Therefore, claim 23 is patentable over the combination of Coleman and Oishi under §103.

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Coleman and Oishi under §103 for at least the reasons given above with respect to claim 23.

Claim 28 recites, *inter alia*, "wherein, if the selected IPG page is currently received, then the tracking component uses the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 28 is also patentable over the combination of Coleman and Oishi under §103.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Coleman and Oishi under §103 for at least the reasons given above with respect to claim 28.

Claim 33 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 33 is also patentable over the combination of Coleman and Oishi under §103.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of

Coleman and Oishi under §103 for at least the reasons given above with respect to claim 33.

Claims 23-37 patentable over the combination of Oishi and Arsenault under §103

The Office Action rejected claims 2 and 4 under 35 U.S.C. §103(a) as being unpatentable over Guo in view of Oishi and further in view of U.S. Patent No. 6,728,966 to Arsenault ("Arsenault").

This rejection is moot, because claims 2 and 4 are cancelled.

New claims 23-37 are patentable over the combination of Guo and Arsenault under §103, because the Office Action fails to establish a *prima facie* case of obviousness.

Claim 23 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend."

In contrast to the claimed invention, Oishi transports MPEG2 packets using a PMT and PAT in the traditional way. (Oishi, col. 4, lines 47-61). Oishi fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed. (Oishi, abstract, summary, col. 2, line 1 to col. 3, line 36).

In contrast to the claimed invention, Arsenault discloses using a linked list to remove redundancy by storing program guide objects in the linked list and then removing program guide objects as they expire. (Arsenault, abstract). The linked list is not the same as the claimed roster, because program guide objects are transmitted and received in the traditional way. (Arsenault, col. 4, line 47 to col. 5, line 45). Arsenault fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG

page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed.

Therefore, claim 23 is patentable over the combination of Guo and Arsenault under §103.

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Guo and Arsenault under §103 for at least the reasons given above with respect to claim 23.

Claim 28 recites, *inter alia*, "wherein, if the selected IPG page is currently received, then the tracking component uses the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 28 is also patentable over the combination of Guo and Arsenault under §103.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Guo and Arsenault under §103 for at least the reasons given above with respect to claim 28.

Claim 33 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 33 is also patentable over the combination of Guo and Arsenault under §103.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of

Guo and Arsenault under §103 for at least the reasons given above with respect to claim 33.

Claims 23-37 patentable over the combination of Guo, Oishi, and Mitsui under §103

The Office Action rejected claims 6 and 9 under 35 U.S.C. §103(a) as being unpatentable over Guo in view of Oishi and further in view of U.S. Patent No. 6,802,074 to Mitsui ("Mitsui").

This rejection is moot, because claims 6 and 9 are cancelled.

New claims 23-37 are patentable over the combination of Guo, Oishi, and Mitsui under §103, because the Office Action fails to establish a *prima facie* case of obviousness.

Claim 23 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend."

In contrast to the claimed invention, Guo merely discloses transmitting, receiving, and displaying IPG pages in a traditional, but never recovers any selected IPG page and presents it to the viewer, without requesting transmission of the selected IPG page, as claimed. (Guo, abstract, summary, figures 9 and 10).

In contrast to the claimed invention, Oishi transports MPEG2 packets using a PMT and PAT in the traditional way. (Oishi, col. 4, lines 47-61). Oishi fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed. (Oishi, abstract, summary, col. 2, line 1 to col. 3, line 36).

In contrast to the claimed invention, Mitsui is generally directed to a recording apparatus for receiving a broadcast program and recording the broadcast program onto a recording medium, a transmitting apparatus for transmitting a broadcast program, and

a computer-readable recording medium. (Mitsui, col. 1, lines 11-15). The claimed invention is not concerned with recording. Mitsui is directed to a completely different problem, namely protecting the copyrights on broadcast programs from a malicious third party who tries to record a broadcast program whose recording is prohibited onto a recording medium by frequently switching between the broadcast program and another broadcast program whose recording is permitted. (Mitsui, col. 4, lines 17-23). Mitsui transports MPEG packets using a PMT and PAT in the traditional way. (Mitsui, col. 7, lines 17-44). Mitsui fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed.

Therefore, claim 23 is patentable over the combination of Guo, Oishi, and Mitsui under §103.

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Guo, Oishi, and Mitsui under §103 for at least the reasons given above with respect to claim 23.

Claim 28 recites, *inter alia*, "wherein, if the selected IPG page is currently received, then the tracking component uses the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 28 is also patentable over the combination of Guo, Oishi, and Mitsui under §103.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Guo, Oishi, and Mitsui under §103 for at least the reasons given above with respect to claim 28.

Claim 33 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 33 is also patentable over the combination of Guo, Oishi, and Mitsui under §103.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of Guo, Oishi, and Mitsui under §103 for at least the reasons given above with respect to claim 33.

Claims 23-37 patentable over the combination of Coleman, Oishi, and Knudson under §103

The Office Action rejected claims 14-17, and 22 under 35 U.S.C. §103(a) as being unpatentable over Coleman in view of Oishi and further in view of U.S. Patent No. 6,526,577 to Knudson ("Knudson").

This rejection is moot, because claims 14-17, and 22 are cancelled.

New claims 23-37 are patentable over the combination of Coleman, Oishi, and Knudson under §103, because the Office Action fails to establish a *prima facie* case of obviousness.

Claim 23 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend."

In contrast to the claimed invention, Coleman discloses a trickle data stream that provides programming information for a current time period, e.g., the next forty-eight hours,, that is stored in a local memory for immediate access and Coleman discloses a demand data stream that provides programming information for a future time period,

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e.g., one week beyond the current period that is acquired on a real time basis in response to a subscriber's request for future scheduling information. (Coleman, abstract). Such trickle data streams and future programming requests are not directed at the same problem as the claimed invention. Both trickle data streams and future programming requests are transmitted from the headend to the terminal in the traditional way. Coleman fails to teach any roster and does not teach or suggest recovering any selected IPG page and presenting it to the viewer, without requesting transmission of the selected IPG page, as claimed.

In contrast to the claimed invention, Oishi transports MPEG2 packets using a PMT and PAT in the traditional way. (Oishi, col. 4, lines 47-61). Oishi fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed. (Oishi, abstract, summary, col. 2, line 1 to col. 3, line 36).

In contrast to the claimed invention, Knudson is generally directed to an interactive television program guide system and method for providing users with an opportunity to preview pay-per-view programs before ordering. (Knudson, abstract). The claimed invention is not concerned with previewing pay-per-view programs before ordering. Knudson fails to teach or suggest any roster to determine which PIDs used to transmit a plurality of regions of the selected IPG page, to process these PIDs to recover the selected IPG page, and to present the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend, as claimed.

Therefore, claim 23 is patentable over the combination of Coleman, Oishi, and Knudson under §103.

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Coleman, Oishi, and Knudson under §103 for at least the reasons given above with respect to claim 23.

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Claim 28 recites, *inter alia*, "wherein, if the selected IPG page is currently received, then the tracking component uses the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 28 is also patentable over the combination of Coleman, Oishi, and Knudson under §103.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Coleman, Oishi, and Knudson under §103 for at least the reasons given above with respect to claim 28.

Claim 33 recites, *inter alia*, "if the selected IPG page is currently received, then using the roster to determine which packet identifiers (PIDs) used to transmit a plurality of regions of the selected IPG page, processing these PIDs to recover the selected IPG page, and presenting the selected IPG page to the viewer, without requesting transmission of the selected IPG page from the headend." For the same reasons given above with respect to claim 23, claim 33 is also patentable over the combination of Coleman, Oishi, and Knudson under §103.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of Coleman, Oishi, and Knudson under §103 for at least the reasons given above with respect to claim 33.

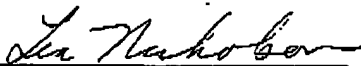
CONCLUSION

Thus, Applicants respectfully submit that the pending claims are allowable. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Lea Nicholson or Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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Lea Nicholson
Registration No. 48,346
Attorney for Applicants

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808